1 Amend 2 Cal. Code Regs., Section 18216 to read:

2 **§ 18216. Enforceable Promise to Make a Payment.**

3 (a) A person who makes an enforceable promise to make a payment to or at the behest of

4 a candidate or committee makes a contribution to the candidate or committee, except to the

5 extent the person receives full and adequate consideration, and unless it is clear from the

6 surrounding circumstances that the enforceable promise is not made for political purposes.

7 (b) A person makes an "enforceable promise to make a payment," as that term is used in

8 subdivision (a), if ~~he or she~~ the person:

9 (1) Guarantees a loan.

10 (2) Furnishes security for a loan.

11 (3) Endorses a loan.

12 (4) Cosigns a loan.

13 (5) Makes and delivers a post-dated check.

14 (6) Establishes a line of credit at a bank or other commercial lending institution for a

15 candidate or committee.

16 (7) Promises in writing to make a payment for specific goods or services, and the

17 candidate or committee, based on the promise, expends specific funds or enters into an

18 enforceable contract with a third party.

19 (c) A person does not make an "enforceable promise to make a payment," as that term is

20 used in subdivision (a), if ~~he or she~~ the person signs a pledge card or similar document, agrees to

21 make installment payments through wire transfer, credit card transaction, debit account

22 transaction or similar electronic payment or otherwise agrees, orally or in writing, to make a

1

1 future payment except as provided in subdivision (b).

2   (d) A candidate or committee shall report receipt of an enforceable promise to make a

3 payment using the forms furnished by the Commission. This reporting shall be consistent with

4 the requirements for reporting of contributions contained in chapter 4 (commencing with section

5 84100) of title 9 of the Government Code.

6 Note: Authority cited: Section 83112, Government Code. Reference: Section 82015,

7 Government Code.